



FEDERAL REGISTER

VOLUME 2

1934

NUMBER 4

Washington, Thursday, January 7, 1937

PRESIDENT OF THE UNITED STATES.

**EXTENDING THE PERIOD FOR FURNISHING PROOF OF USE IN
MANUFACTURE OF BONDED WOOL AND CAMEL HAIR**

By the President of the United States of America

A PROCLAMATION

WHEREAS section 318 of the Tariff Act of 1930 (46 Stat. 696) provides:

"Whenever the President shall by proclamation declare an emergency to exist by reason of a state of war, or otherwise, he may authorize the Secretary of the Treasury to extend during the continuance of such emergency the time herein prescribed for the performance of any act

WHEREAS paragraph 1101 of the Tariff Act of 1922 (42 Stat. 904) provides that wools of certain kinds

** * * may be imported under bond in an amount to be fixed by the Secretary of the Treasury and under such regulations as he shall prescribe; and if within three years from the date of importation or withdrawal from bonded warehouse satisfactory proof is furnished that the wools have been used in the manufacture of rugs, carpets, or any other floor coverings, the duties shall be remitted or refunded. * * *".

AND WHEREAS paragraph 1101 of the Tariff Act of 1930 (46 Stat. 646) provides that wools of certain kinds and hair of the camel

"* * * may be imported under bond in an amount to be fixed by the Secretary of the Treasury and under such regulations as he shall prescribe; and if within three years from the date of importation or withdrawal from bonded warehouse satisfactory proof is furnished that the wools or hair have been used in the manufacture of yarns which have been used in the manufacture of press cloth, camel's hair belting, rugs, carpets, or any other floor covering, or in the manufacture of knit or felt boots or heavy fulled lumbermen's socks, the duties shall be remitted or refunded. * * *".

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, acting under and by virtue of the authority vested in me by the foregoing provision of section 318 of the Tariff Act of 1930, do by this proclamation declare an emergency to exist.

And I do hereby authorize the Secretary of the Treasury, until further notice:

(1) In the case of wools imported or withdrawn from bonded warehouse between January 18 and June 17, 1930 (both dates inclusive), under bond, under the provisions of paragraph 1101 of the Tariff Act of 1922, and wools or hair

of the camel imported or withdrawn from bonded warehouse during the calendar year 1930, under bond, under the provisions of paragraph 1101 of the Tariff Act of 1930, to extend the period during which proof of use in manufacture may be furnished for not more than one year from and after the expiration of the three-year period prescribed in the said paragraphs as extended for two years under the authority of Proclamation No. 2023, dated December 23, 1932, and further extended for one year under the authority of Proclamation No. 2113, dated January 7, 1935, and further extended for one year under the authority of Proclamation No. 2155, dated January 18, 1936.

(2) In the case of wools or hair of the camel imported or withdrawn from bonded warehouse between January 18 and December 31, 1931 (both dates inclusive), under bond, under the provisions of paragraph 1101 of the Tariff Act of 1930, to extend the period during which proof of use in manufacture may be furnished for not more than one year from and after the expiration of the three-year period prescribed in the said paragraph as extended for one year under the authority of Proclamation No. 2069, dated December 30, 1933, and further extended for one year under the authority of Proclamation No. 2113, dated January 7, 1935, and further extended for one year under the authority of Proclamation No. 2155, dated January 18, 1936.

(3) In the case of wools or hair of the camel imported or withdrawn from bonded warehouse between January 18 and December 31, 1932 (both dates inclusive), under bond, under the provisions of paragraph 1101 of the Tariff Act of 1930, to extend the period during which proof of use in manufacture may be furnished for not more than one year from and after the expiration of the three-year period prescribed in the said paragraph as extended for one year under the authority of Proclamation No. 2113, dated January 7, 1935, and further extended for one year under the authority of Proclamation No. 2155, dated January 18, 1936.

(4) In the case of wools or hair of the camel imported or withdrawn from bonded warehouse between January 18 and December 31, 1933 (both dates inclusive), under bond, under the provisions of paragraph 1101 of the Tariff Act of 1930, to extend the period during which proof of use in manufacture may be furnished for not more than one year from and after the expiration of the three-year period prescribed in the said paragraph as extended for one year under the authority of Proclamation No. 2155, dated January 18, 1936.

(5) In the case of wools or hair of the camel imported or withdrawn from bonded warehouse during the calendar year 1934, under bond, under the provisions of paragraph 1101 of the Tariff Act of 1930, to extend the period during which proof of use in manufacture may be furnished for not more than one year from and after the expiration of the three-year period prescribed in the said paragraph.

FEDERAL REGISTER

THE NATIONAL ARCHIVES
OF THE UNITED STATES
1934

Published by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. L. 500), under regulations prescribed by the Administrative Committee, with the approval of the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for \$1 per month or \$10 per year; single copies 5 cents; payable in advance. Remit by money order payable to Superintendent of Documents, Government Printing Office, Washington, D. C.

Correspondence concerning the publication of the FEDERAL REGISTER should be addressed to the Director, Division of the Federal Register, The National Archives, Washington, D. C.

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Provided, however, That in each and every case the Secretary of the Treasury shall require that the principal on the bond, in order to obtain the benefits under the extension granted, shall either furnish to the collector of customs for the district in which the bond was given the agreement of the sureties on such bond to remain bound under the terms and provisions of the bond to the same extent as if no extension were granted, or furnish an additional bond with acceptable sureties to cover the period of extension: *And provided further,* That the extensions of one year herein authorized shall not apply to any wools or hair of the camel imported or withdrawn from bonded warehouse under bond during the calendar years 1930, 1931, 1932 and 1933, on which the one-year period of extension authorized in the

aforesaid proclamation of January 18, 1936, has expired, or to any wools or hair of the camel imported or withdrawn from bonded warehouse under bond during the calendar year 1934 on which the three-year period prescribed in paragraph 1101 of the Tariff Act of 1930 has expired.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 30 day of December in the year of our Lord nineteen hundred and thirty-six, and of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the PRESIDENT:

R. WALTON MOORE,
Acting Secretary of State.

[No. 2217]

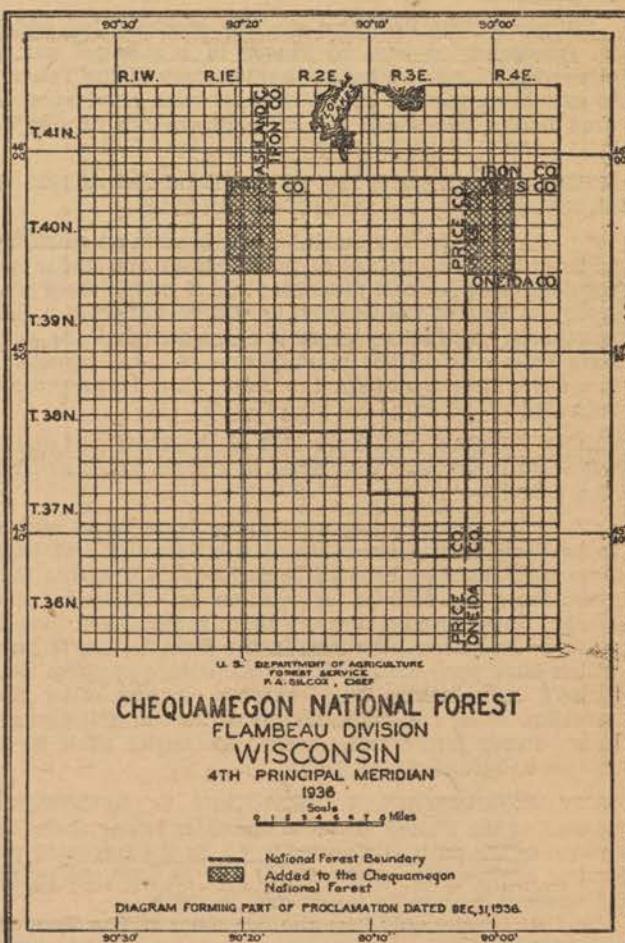
[F. R. Doc. 37-47; Filed, January 5, 1937; 2:19 p. m.]

CHEQUAMEGON NATIONAL FOREST—WISCONSIN

By the President of the United States of America

A PROCLAMATION

WHEREAS by proclamation of November 13, 1933 (48 Stat. 1716), there were set apart and reserved as the Chequamegon National Forest in the State of Wisconsin certain lands



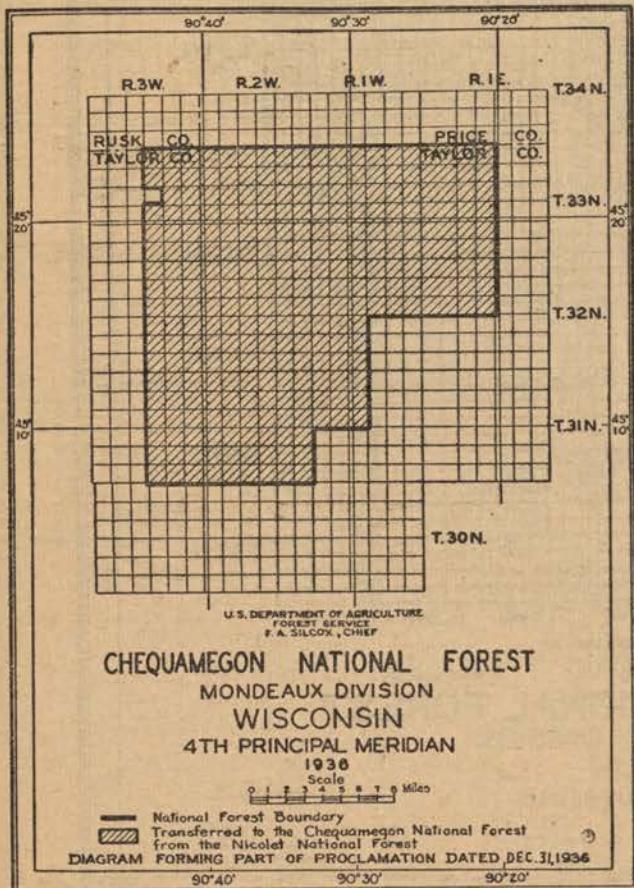
which had been, or might thereafter be, acquired by the United States of America under authority of the act of Congress approved March 1, 1911, ch. 186, 36 Stat. 961 (U. S. C., title 16, sec. 516), as amended by the act of June 7,

1924, ch. 348, 43 Stat. 653 (U. S. C., title 16, sec. 515), together with certain adjoining public lands; and

WHEREAS it appears that it would be in the public interest to modify the boundaries of the said national forest by including therein certain forest lands which have been, or may be, acquired under authority of the said acts of March 1, 1911, and June 7, 1924, and certain adjoining public lands, and by transferring to the said national forest the Mondeaux Division of the Nicolet National Forest:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the power in me vested by section 24 of the act of March 3, 1891, ch. 561, 26 Stat. 1095, 1103, as amended (U. S. C., title 16, sec. 471), the act of June 4, 1897, ch. 2, 30 Stat. 34, 36 (U. S. C., title 16, sec. 473), and section 11 of the said act of March 1, 1911, do proclaim (1) that all lands of the United States within the areas shown as additions on the diagrams attached hereto and made a part hereof¹ are hereby included in and reserved as a part of the Chequamegon National Forest, (2) that all lands within such areas which may hereafter be acquired by the United States under the said acts of March 1, 1911, and June 7, 1924, shall upon acquisition of title thereto be reserved and administered as a part of the said Forest, and (3) that there is hereby transferred to the said Forest the Mondeaux Division of the Nicolet National Forest.

This proclamation and that modifying the boundaries of the Nicolet National Forest, which I have signed this same day, are made, and are intended to be and shall be considered, as one act and they shall become effective simultaneously.



The reservation made by this proclamation shall as to all lands which are at this date legally appropriated under the public-land laws or reserved for any public purpose other

¹ See pages 28, 29, and 30.

than classification, be subject to and shall not interfere with or defeat legal rights under such appropriation, or prevent the use for such public purpose of lands so reserved, so long as such appropriation is legally maintained or such reservation remains in force.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 31st day of December, in the year of our Lord nineteen hundred and [SEAL] thirty-six and of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the PRESIDENT:

R. WALTON MOORE,
Acting Secretary of State.

[No. 2218]

[F. R. Doc. 37-45; Filed, January 5, 1937; 2:17 p. m.]

NICOLET NATIONAL FOREST—WISCONSIN

By the President of the United States of America

A PROCLAMATION

WHEREAS by proclamation of November 13, 1933 (48 Stat. 1715), there were set apart and reserved as the Nicolet National Forest in the State of Wisconsin certain lands which had been or might thereafter be acquired by the United States of America under authority of the act of Congress approved March 1, 1911, ch. 186, 36 Stat. 961 (U. S. C., title 16, sec. 516), as amended by the act of June 7, 1924, ch. 348, 43 Stat. 653 (U. S. C., title 16, sec. 515), together with certain adjoining public lands; and

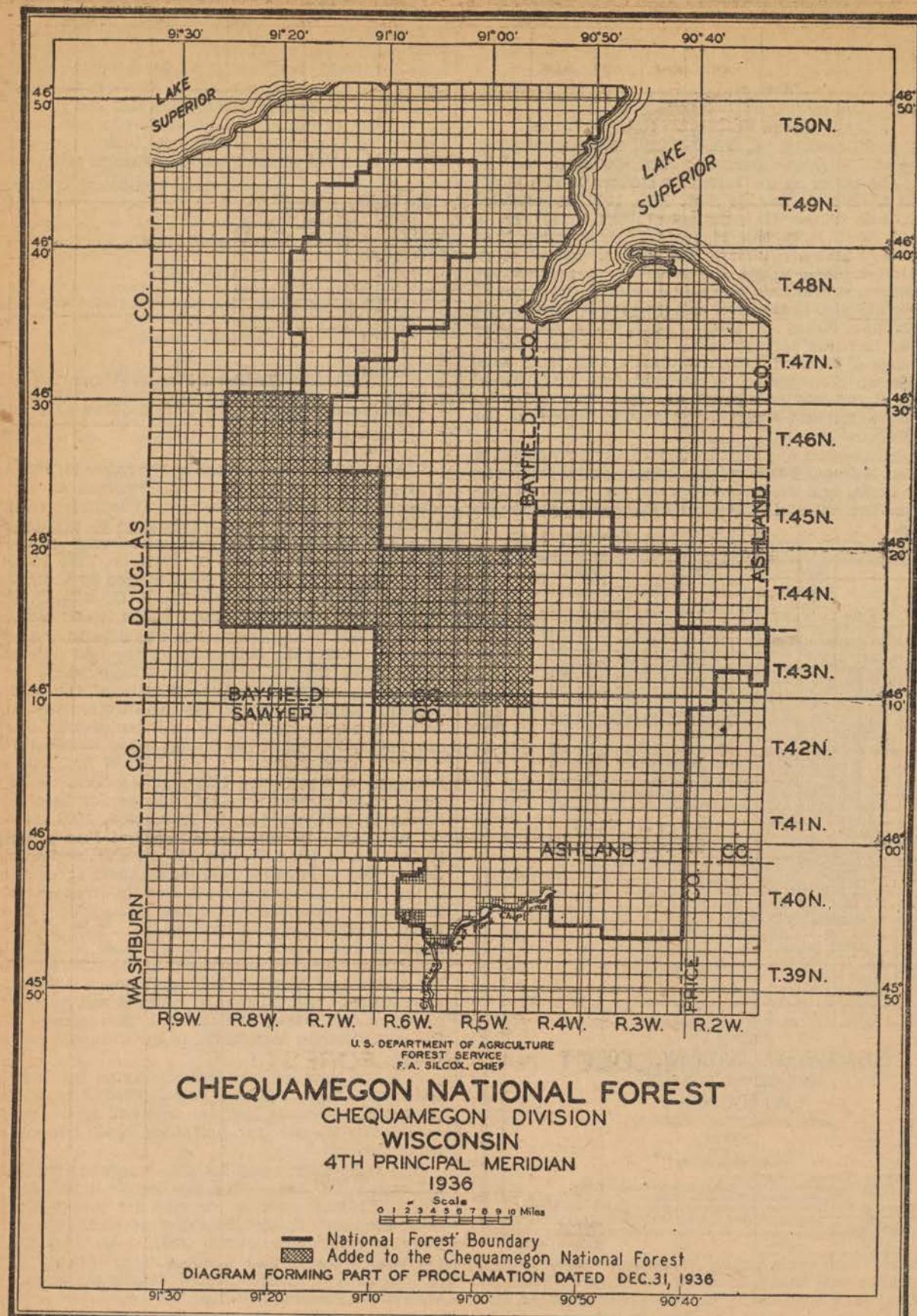
WHEREAS it appears that it would be in the public interest to modify the boundaries of the said national forest by including therein certain forest lands which have been, or may be, acquired under authority of the said acts of March 1, 1911, and June 7, 1924, and certain adjoining public lands, and by transferring the Mondeaux Division of the said national forest to the Chequamegon National Forest:

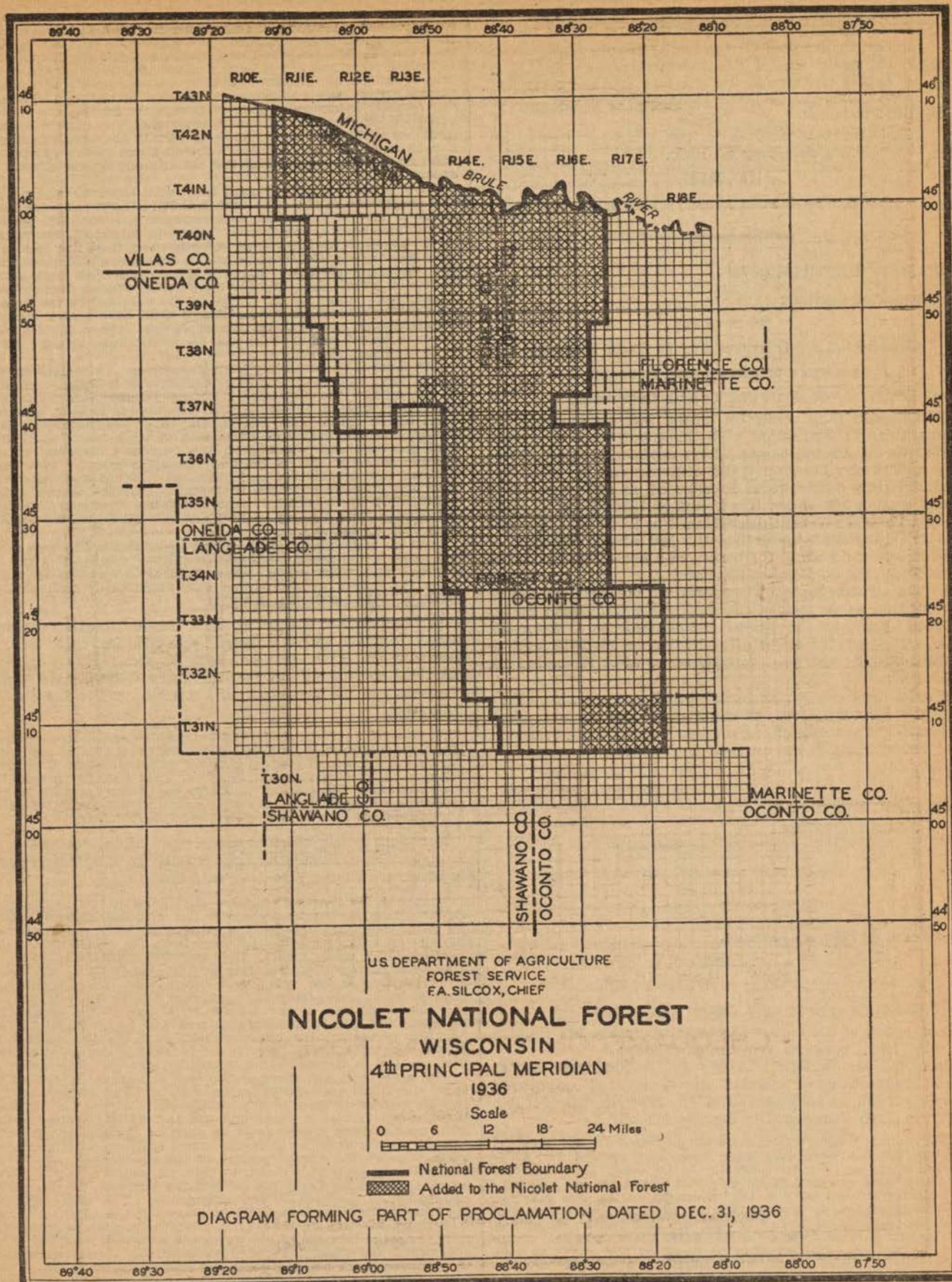
NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the power in me vested by section 24 of the act of March 3, 1891, ch. 561, 26 Stat. 1095, 1103, as amended (U. S. C., title 16, sec. 471), the act of June 4, 1897, ch. 2, 30 Stat. 34, 36 (U. S. C., title 16, sec. 473), and section 11 of the said act of March 1, 1911, do proclaim (1) that all lands of the United States within the area shown as an addition on the diagram attached hereto and made a part hereof¹ are hereby included in and reserved as a part of the Nicolet National Forest, and (2) that all lands within such area which may hereafter be acquired by the United States under the said acts of March 1, 1911, and June 7, 1924, shall upon acquisition of title thereto be reserved and administered as a part of said Forest, and (3) that the aforesaid Mondeaux Division is hereby transferred to the Chequamegon National Forest.

This proclamation and that modifying the boundaries of the Chequamegon National Forest, which I have signed this same day, are made, and are intended to be and shall be considered, as one act and they shall become effective simultaneously.

The reservation made by this proclamation shall as to all lands which are at this date legally appropriated under the public-land laws or reserved for any public purpose other than classification, be subject to and shall not interfere with or defeat legal rights under such appropriation, or prevent the use for such public purpose of lands so reserved, so long as such appropriation is legally maintained or such reservation remains in force.

¹ See page 31.





FEDERAL REGISTER, January 7, 1937

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 31st day of December, in the year of our Lord nineteen hundred and [SEAL] thirty-six and of the Independence of the United States of America the one hundred and sixty-first.

By the President:

FRANKLIN D ROOSEVELT

R. WALTON MOORE,
Acting Secretary of State.

[No. 2219]

[F. R. Doc. 37-46; Filed, January 5, 1937; 2:18 p. m.]

TREASURY DEPARTMENT.

Bureau of Customs.

[T. D. 48734]

COUNTERVAILING DUTY ON BUTTER FROM DENMARK

TREASURY DECISION 47896, MODIFIED

To Collectors of Customs and Others Concerned:

The Bureau is in receipt of official information that the transactions in connection with the exportation of Danish butter to the United States which occasioned the publication in Treasury Decision 47896, of September 28, 1935, that countervailing duties would be imposed on such commodity under section 303 of the Tariff Act of 1930 (U. S. C., title 19, sec. 1303), have been discontinued as to direct shipments to the United States and that the last direct shipment of Danish butter receiving the benefit of a bounty was exported from Denmark on October 25, 1935.

In the circumstances, Treasury Decision 47896 is hereby modified so as to restrict its application to Danish butter shipped direct to the United States prior to October 26, 1935, and imported on or after November 10, 1935, and to Danish butter imported indirectly on or after November 10, 1935.

Entries covering Danish butter which are not affected by Treasury Decision 47896, as modified by this decision, shall be liquidated as promptly as possible without the assessment of countervailing duties on such butter.

[SEAL]

J. H. MOYLE,

Commissioner of Customs.

Approved, December 29, 1936.

JOSEPHINE ROCHE,

Acting Secretary of the Treasury.

[F. R. Doc. 37-48; Filed, January 6, 1937; 10:01 a. m.]

Bureau of Internal Revenue.

[T. D. 4722]

BOTTLING DISTILLED SPIRITS IN BOND

To District Supervisors and Others Concerned:

Section 306 of the Liquor Tax Administration Act (Public No. 815, 74th Congress) provides as follows:

SEC. 306. (a) Section 1 of the Act entitled "An Act to allow the bottling of distilled spirits in bond", approved March 3, 1897, as amended (U. S. C., 1934 ed., title 26, sec. 1276), is further amended to read as follows:

That whenever any distilled spirits deposited in the Internal Revenue Bonded Warehouse have been duly entered for withdrawal, before or after tax-payment, or for export in bond, and have been duly gauged and the required marks, brands, and taxpaid stamps (if required) or export stamps, as the case may be, have been affixed to the package or packages containing the same, the distiller or owner of said distilled spirits, if he has declared his purpose so to do in the entry for withdrawal, which entry for bottling purposes may be made by the owner as well as the distiller, may remove such spirits to a separate portion of said warehouse which shall be set apart and used exclusively for that purpose, and there, under the supervision of a United States storekeeper-gauger in charge of such warehouse, may im-

mediately draw off such spirits, bottle, pack, and case the same. For convenience in such process any number of packages of spirits of the same kind, differing only in proof, but produced at the same distillery by the same distiller, may be mingled together in a cistern provided for that purpose, but nothing herein shall authorize or permit any mingling of different products, or of the same products of different distilling seasons, or the addition or subtraction of any substance or material or the application of any method or process to alter or change in any way the original condition or character of the product except as herein authorized; nor shall there be at the same time in the bottling room of any Internal Revenue Bonded Warehouse any spirits entered for withdrawal upon payment of the tax and any spirits entered for export.

Every bottle when filled shall have affixed thereto and passing over the mouth of the same such suitable adhesive engraved strip stamp as may be prescribed, as hereinafter provided, and shall be packed into cases to contain six bottles or multiples thereof, and in the aggregate not less than two nor more than five gallons in each case, which, if taxpaid, shall be immediately removed from the warehouse premises. Each of such cases shall have affixed thereto a stamp denoting the number of gallons therein contained, such stamp to be affixed to the case before its removal from the warehouse, and such stamps shall have a cash value of ten cents each, and shall be charged at that rate to the collectors to whom issued, and shall be paid for at that rate by the distiller or owner using the same.

And there shall be plainly burned, embossed, or printed on the side of each case, to be known as the Government side, the proof of the spirits, the registered distillery number, the State and supervisory district in which the distillery is located, the real name of the actual bona fide distiller or of the individual, firm, partnership, corporation or association in whose name the spirits were produced and warehoused, the year and distilling season, whether spring or fall, of original inspection or entry into bond, and the date of bottling, and the same wording shall be placed upon the adhesive engraved strip stamp over the mouth of the bottle. It being understood that the spring season shall include the months from January to July, and the fall season the months from July to January.

"And no trade-marks shall be put upon any bottle unless the real name of the actual bona fide distiller, or the name of the individual, firm, partnership, corporation, or association in whose name the spirits were produced and warehoused, shall also be placed conspicuously on said bottle."

(b) Section 2 of the Act entitled "An Act to allow the bottling of distilled spirits in bond", approved March 3, 1897, as amended (U. S. C., 1934 ed., title 26, sec. 1277), is further amended by striking out the last clause following the words "Secretary of the Treasury", and inserting in lieu thereof the following:

"but no spirits (except gin for export) shall be bottled in bond until they have remained in bond in wooden containers for at least four years from the date of original gauge as to fruit brandy, or original entry as to all other spirits: Provided, That nothing in this Act shall authorize the labeling of spirits in bottles contrary to the provisions of regulations issued pursuant to the Federal Alcohol Administration Act, or any amendment thereof."

Pursuant to this amendment of the statute, Sections 1, 5, 8, 12, and 16, of Regulations No. 6, Bottling of distilled spirits in bond, are amended to read as follows:

SECTION 1. *Bottling warehouses.*—Any proprietor of an Internal Revenue Bonded Warehouse who desires to bottle distilled spirits in bond, shall first set apart a portion of such warehouse for this purpose, and separate the same from the remainder of the warehouse by solid, secure, and unbroken partitions, with no interior communication whatever between the bottling room and other portions of the warehouse, except that, where spirits are bottled before tax-payment, which necessitates their return to the storage portion of the warehouse, a door to be secured on its warehouse side by Government lock will be permitted in the partition separating the bottling room from the storage portion of the warehouse. Such door must be kept locked at all times, with the key in the possession of the Government officer assigned to the warehouse, except when the door is necessarily opened to allow the transfer of spirits to the bottling room or their return to the storage portion of the warehouse. Where the bottling house is constructed as above provided and spirits are also bottled after tax-payment, a door must be provided through which such taxpaid spirits may be removed after bottling without being taken through the storage portion of the warehouse.

Should the proprietor desire to have an addition to his warehouse approved for use solely for bottling purposes, he will make application in the manner now provided by T. D. 4651, concerning Internal Revenue Bonded Warehouses. If the addition is not a separate structure on the bonded premises, it must be separated from the other portions of the warehouse as herein required. The application and District Supervisor's certificate should state that the addition is for bottling purposes.

The cabinet or case prescribed in T. D. 4527 and T. D. 4561 must be provided in each bottling house for the safe storage of case and strip stamps.

SEC. 5. Spirits which may be bottled.—Except in the case of gin which may be bottled for export at any time, only spirits which have remained in bond in wooden containers for at least four years can be withdrawn for bottling in bond. Spirits may be bottled in bond either before or after payment of the internal-revenue tax. Spirits bottled in bond before payment of the tax will be returned to the bonded warehouse for storage until tax-paid or until removed without payment of tax under the provision of law and regulations applicable thereto. Spirits bottled after tax-payment must be removed from the bottling warehouse immediately upon completion of the bottling, without being returned to the bonded warehouse.

The entry for withdrawal for bottling must bear date not less than four years after date of original gauge as to fruit brandy, or original entry as to all other spirits.

Spirits of two or more distillers, or spirits produced by the same distiller in the names of two or more individuals, firms, partnerships, corporations, or associations, may not be in the process of bottling in the same bottling room at the same time; nor may spirits of two or more seasons' production, or taxpaid and untaxed spirits, or spirits bottled for export and spirits bottled before tax-payment, be in the process of bottling in the same bottling room at the same time.

SEC. 8. Case and strip stamps.—Case stamps for distilled spirits bottled in bond for domestic sale or use will be printed in five denominations: 3 gallons for cases containing 12 bottles of 1 quart each; 2½ gallons for cases containing 12 bottles of ½ quart (½ gallon) each; 3 gallons for cases containing 24 bottles of 1 pint each; 3 gallons for cases containing 48 bottles of ½ pint each; and 3 gallons for cases containing 240 bottles of ¼ pint each.

The strip stamps will be marked "Bottled in Bond" and will bear the following data: The real name of the actual bona fide distiller or of the individual, firm, partnership, corporation or association in whose name the spirits were produced and warehoused; the registered distillery number; State and supervisory district in which the distillery is located; the proof of the spirits; the year and distilling season, whether Spring or Fall; the bottling season; and the number of the warehouse and supervisory district in which the spirits are bottled.

The stamps will be bound in books of 20 case stamps to which are attached the requisite number of strip stamps.

SEC. 12. Trade-marks and distiller's name upon bottles.—The provision of the law that no trade-marks shall be put upon any bottle unless the real name of the actual bona fide distiller or the name of the individual, firm, partnership, corporation or association in whose name the spirits were produced and warehoused, shall also be placed conspicuously on said bottle renders it absolutely necessary that either the label which contains the trade-mark or special name which the owner may see fit to give to his spirits, or some additional label equally conspicuous shall bear the real name of the actual bona fide distiller or the name of the individual, firm, partnership, corporation or association in whose name the spirits were produced and warehoused. Labels must conform to the provisions of regulations issued by the Federal Alcohol Administration.

SEC. 16. (a) Marks and brands on cases.—On the Government side of cases of distilled spirits bottled in bond there shall be plainly burned, embossed, or printed, in letters and figures not less than five-eighths of an inch in height, the real name of the actual bona fide distiller or of the individual, firm, partnership, corporation, or association in whose name the spirits were produced and warehoused, the number, State, and supervisory district of the distillery at which the spirits were produced, the quantity and proof of the spirits, and the season and year of production and bottling. Where spirits are bottled at a warehouse not on the premises of the distillery where produced, or contiguous thereto, the number and State of the warehouse at which the spirits are bottled shall also be plainly burned, embossed, or printed on the Government side of the case, but the name of the distiller or of the individual, firm, partnership, corporation, or association in whose name the spirits were produced and warehoused, the number, State, and supervisory district of the distillery at which the spirits were produced, and the season and year of production and bottling may be stenciled with permanent black ink. The serial number of the case and the date of bottling (inspection) shall also be marked on each case.

(b) The marks and brands will be placed on the cases in the following manner and order:

Serial No. 999

John Williams Distilling Co.
Distillery No. 1, 7th Supervisory District-Ky.

John Robinson

Bottled at
Internal Revenue
Bonded Warehouse
No. 6-Ky.

Case Stamp	3 gallons 100 Proof Made Fall 1931 Bottled Fall 1931
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U. S. Storekeeper-gauger
Insp. July 8, 1935.

GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved, December 30, 1936.

JOSEPHINE ROCHE,

Acting Secretary of the Treasury.

[F. R. Doc. 37-49; Filed, January 6, 1937; 10:01 a. m.]

DEPARTMENT OF AGRICULTURE.

Agricultural Adjustment Administration.

[Docket No. A-41-O-41]

NOTICE OF HEARING WITH RESPECT TO A PROPOSED MARKETING AGREEMENT AND A PROPOSED ORDER REGULATING THE HANDLING OF ONIONS GROWN IN THE STATE OF TEXAS

Whereas, under the Agricultural Adjustment Act, as amended, notice of hearing is required in connection with a proposed marketing agreement or a proposed order, and the General Regulations, Series A, No. 1, as amended, of the Agricultural Adjustment Administration provide for such notice; and

Whereas, the Secretary of Agriculture has reason to believe that the execution of a marketing agreement and the issuance of an order will tend to effectuate the declared policy of Title I of the Agricultural Adjustment Act, as amended, with respect to onions grown in the State of Texas;

Now, therefore, pursuant to the said act and said general regulations, notice is hereby given of a hearing to be held on a proposed marketing agreement and a proposed order regulating the handling of onions grown in the State of Texas at the following times and places:

January 18, 1937, 9:30 a. m., Nicholson Memorial Hall, Garland, Texas.

January 20, 1937, 9:30 a. m., Floresville County Agent's Office, Floresville, Texas.

January 22, 1937, 9:30 a. m., Raymondville Court House, Raymondville, Texas.

January 25, 1937, 9:30 a. m., School Auditorium, Big Wells, Texas.

January 26, 1937, 9:30 a. m., Laredo Court House, Laredo, Texas.

January 28, 1937, 9:30 a. m., Corpus Christi Court House, Corpus Christi, Texas.

The proposed marketing agreement and order provide for the regulation of the handling of onions produced in the area stated, and, among other things provision is made for: (a) the establishment of a Control Board, (b) the regulation of shipments of onions by grades and sizes, and (c) assessments for expenses of administration.

This public hearing is for the purpose of receiving evidence as to the general economic conditions which may necessitate regulation in order to effectuate the declared policy of the act, as to the specific provisions which a marketing agreement and order should contain, and as to whether the proposed marketing agreement and the proposed order should also include provisions authorizing the limitation of shipments by means of period proration.

It is hereby declared that an emergency exists in the handling of onions in the aforesaid area, which requires a shorter period of notice than fifteen (15) days; and it is hereby determined that the period of notice given is reasonable under the circumstances.

Copies of the proposed marketing agreement and the proposed order may be inspected in or procured from the office of the Hearing Clerk, Room 4723, South Building, United States Department of Agriculture, Washington, D. C.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

Dated, January 6, 1937.

Washington, D. C.

[F. R. Doc. 37-52; Filed, January 6, 1937; 12:39 p. m.]

INTERSTATE COMMERCE COMMISSION.

[No. 3666]

ORDER

IN THE MATTER OF REGULATIONS FOR THE TRANSPORTATION OF EXPLOSIVES AND OTHER DANGEROUS ARTICLES

Present: Frank McManamy, Commissioner, to whom the above entitled matter has been assigned for action thereon.

Regulations for the transportation of explosives and other dangerous articles by rail in freight, express, and baggage

services, and by water and highway, being under further consideration;

And it appearing, That upon motion of the Commission or applications made by interested parties, certain proposed new and amended regulations should be established pursuant to section 233 of the Criminal Code (Transportation of Explosives Act), and upon investigation are found to be in accord with the best-known practicable means for securing safety in transit, covering the packing, marking, loading, handling while in transit, and the precautions necessary to determine whether the material when offered is in proper condition to transport:

It is ordered, That the aforesaid regulations as heretofore published in orders of May 12, 1930, Apr. 7, 1931, June 27, 1931, Dec. 15, 1931, Apr. 18, 1932, Jan. 13, 1934, Aug. 24, 1934, Nov. 6, 1934, Dec. 10, 1935, and Aug. 27, 1936,¹ be and they are hereby superseded and amended as follows, effective March 30, 1937:

Rail Regulations—Freight

Amending order May 12, 1930, as follows (*dangerous articles list*):

Article	Classed as	Section	Page
(Add) Acid, perchloric.	Corrosive liquid	3	49
(Add) Nitrochlorbenzene	Poison	3	49
(Add) Perchloric acid. (See Acid, perchloric.)			

Superseding and amending par. 69B, order Jan. 13, 1934, to read as follows (*packing lead azide*):

69B. *Packing and weight.*—Lead azide in bulk form must be packed wet with not less than 20 per cent by weight of water. The packing and weight must be the same as that described in paragraph 68 for fulminate of mercury.

Amending par. 229 (b), order Dec. 10, 1935, as follows (*exemptions from regulations*):

(Add) Note.—Samples of gasoline in containers of not exceeding one quart capacity each, in fiberboard boxes, may be shipped to State inspection departments for laboratory examination.

Superseding and amending par. 278 (g), order Aug. 27, 1936, to read as follows (*exemptions from regulations*):

(g) Ammonium nitrate, barium nitrate, lead nitrate, potassium nitrate, sodium nitrate (nitrate of soda), strontium nitrate, nitro carbo nitrate, or other inorganic nitrates, in metal cans in outside fiberboard boxes; in wooden boxes, kegs, barrels, metal cans, or drums; or calcium nitrate in bags; or ammonium nitrate in bags containing not over 125 pounds, net weight, made moisture proof, tight against sifting, and of strength not less than bags made of 8-ounce burlap.

Superseding and amending par. 324A, orders Dec. 10, 1935, and Aug. 27, 1936, to read as follows (*packing sodium hydrosulphite*):

324A. *Sodium hydrosulphite* must be packed as follows: In wooden barrels, kegs, or boxes, specification 11B, 15A, 15B, 15C, or 16A, with inside glass bottles of capacity not exceeding 5 pounds each, or metal containers, specification 2B; or in metal barrels or drums, specification 6A, 6B, or 6C; or in single-trip metal barrels or drums, specification 5E, 6D, 6E, or 6F.

Or in plywood drums, specification 22B, with inside metal drums.

Amending list, par. 346 (c), orders May 12, 1930, and Dec. 15, 1931, as follows (*corrosive liquids*):

Article	Exemption	Packing
(Add) Acid, perchloric.	(1) 347	348 to 350, 368.
(Change) Batteries, storage, wet.		354.

¹ No exemption.

Amending par. 347, order Apr. 7, 1931, as follows (*exemptions from regulations*):

(Add) (a3) *Fire extinguisher charges* consisting of sulphuric acid in 10-ounce or smaller bottles, securely closed, packed in a tight fiber carton. The bottle and carton packed in either potassium carbonate or potassium carbonate and alkali packed in a cylindrical tin can, with slip cover, secured by tape.

¹ F. R. 1580.

Amending list, par. 349, order May 12, 1930, as follows (*special packing corrosive liquids*):

Article	Paragraph
Perchloric acid.	368

Amending par. 352, order June 27, 1931, as follows (*packing benzyl chloride*):

(Add) (e) *Benzyl chloride* may also be shipped in lead lined metal drums complying with specification 5H.

Superseding and amending par. 354, order Mar. 12, 1936, to read as follows (*packing electric storage batteries*):

354. *Electric storage batteries* containing electrolyte or corrosive battery fluid when shipped must be completely protected so that short circuits will be prevented; they must not be packed with other articles except portable searchlights properly cushioned.

They must be packed as follows (see paragraph 347 (b) for carload exemptions): In wooden boxes, specification 15D or 16B.

Exception.—Not more than 3 batteries of weight not over 20 pounds each with battery case of impregnated rubber, asphaltum composition, wooden-battery-box type, or steel-case type, may be shipped in a carton, provided the gross weight per carton does not exceed 75 pounds;

Or single batteries of weight not over 75 pounds each with battery case of impregnated rubber, asphaltum composition, wooden-battery-box type, or steel-case type, may be shipped without boxing; for two or more batteries exceeding 20 pounds each in the same outside container, wooden boxes, specification 15D or 16B, are required.

Superseding and amending par. 355 (c), order May 12, 1930, to read as follows (*packing bromine*):

(c) Inside containers must be securely cushioned on all sides with incombustible packing material, such as whiting, mineral wool, infusorial earth (kieselguhr), sifted ashes, powdered china clay, or similar material, at least 1 inch thick, which will not produce heat when mixed with bromine. The use of hay, sawdust, excelsior, or other organic material, either treated or untreated, as a cushioning or packing material, is prohibited.

Amending order May 12, 1930, as follows (*packing perchloric acid*):

(Add) 368. (a) *Perchloric acid* of not exceeding 72 per cent strength must be packed as follows:

In wooden boxes, specification 15A, 15B, 15C, 16A, or 19A, with glass inside containers consisting of glass bottles not over 7 pounds capacity each cushioned with incombustible mineral material in amount sufficient to absorb the acid;

Or in carboys, specification 1A or 1C.

(b) Perchloric acid in any quantity must not be packed with any other article.

(c) Glass bottles must have glass stoppers ground to fit and held in place by plaster of Paris covered by a strong cloth securely tied.

(d) Inside containers must be well cushioned. All material for cushioning must be incombustible mineral material, such as whiting, mineral wool, infusorial earth (kieselguhr), asbestos, sifted ashes, or powdered china clay, etc. The use of hay, excelsior, ground cork, or similar material, either treated or untreated, is prohibited. Where the cushioning material is very fine or powdery, separate partitions for the individual inside containers should be provided to prevent the bottles from shifting and coming into contact with each other, and the box must be tight to prevent sifting of cushioning material.

(e) Cushioning of inside containers in outside wooden boxes by means of elastic packings, such as wooden strips or large corks fastened securely in position, is authorized if the completed package will pass the swing test prescribed for boxed carboys, in specification 1 A.

(f) Perchloric acid in excess of 72 percent strength must not be shipped.

Superseding and amending item, par. 405, order May 12, 1930, to read as follows (*packing compressed gases*):

Article	Density, etc.	Cylinders, etc.
Nitrous oxide (see note 3).	68% (see note 2)	ICC-3A1800, ICC-3, ICC-3E.

Amending list, par. 461 (c), order May 12, 1930, as follows (*poisonous articles*):

Article	Class	Exemption	Packing
(Add) Nitrochlorbenzene.	B	462	495, 497 to 499.

Superseding and amending 1st subpar., par. 519 (a), order Apr. 7, 1931, to read as follows (*placards for class B poisons*):

519. (a) A car containing one or more packages bearing the Poison label, or poisonous articles, class B, in bulk, or a tank car containing any poisonous article, class B, must be protected by the POISONOUS placard as prescribed in paragraph 641 (e).

Superseding and amending 1st and 2nd subpars., par. 641 (e), order June 27, 1931, to read as follows (*placards for class B poisons*):

641. (e) "Poisonous" placards must be applied to cars as follows: Cars containing one or more packages bearing the Poison label, or poisonous articles, class B, in bulk, or Tank cars containing any poisonous article, class B.

Rail Regulations—Express

Amending order May 12, 1930, as follows (*dangerous articles list*):

Article	Classed as—	Section	Page
(Add) Acid, perchloric.....	Corrosive liquid.....	3	204
(Add) Nitrochlorbenzene.....	Poison.....	3	204
(Add) Perchloric acid. (See Acid, perchloric.)			

Amending par. 109 (a), order Dec. 10, 1935, as follows (*exemptions from regulations*):

(Add) Note.—Samples of gasoline in containers of not exceeding one quart capacity each, in fiberboard boxes, may be shipped to State inspection departments for laboratory examination.

Superseding and amending par. 152, orders Apr. 7, 1931, Apr. 18, 1932, and Jan. 13, 1934, to read as follows (*packing pyroxylin plastics and box toe board*):

152. *Pyroxylin plastics* (such as celluloid, fiberoid, pyralin, visco-
lloid, zylonite, etc.) and *box toe board* containing pyroxylin or nitro-
cellulose, in sheets, rolls, rods, or tubes, must be packed as follows:

In wooden boxes, specification 15B or 19A, or fiberboard boxes, specification 23B or 24B; or

Sheets, rolled, in fiber drums, specification 21A, having 2 straps applied lengthwise and 1 or more circumferentially; straps at least $\frac{1}{2}$ by 0.02 inch steel; or

Sheets, rolled, not over 15 pounds net weight in fiber tubes lined throughout with single-faced corrugated fiberboard at least 0.2 inch thick and securely closed; tube material at least 0.115 inch thick for side walls and 0.05 inch thick for ends with strength, Mullen or Cady test, at least 245 and 220 pounds, respectively; metal ends for tubes acceptable when lined with fiber discs at least 0.05 inch thick; or

Samples of scrap for laboratory examination in inside metal container, hermetically sealed by soldering or with tape, in outside wooden box, specification 15C; net weight not over 25 pounds; must be marked "Sample of (name of article) for laboratory examination."

Superseding and amending par. 163, orders Dec. 10, 1935, and Aug. 27, 1936, to read as follows (*packing sodium hydro-sulphite*):

163. *Sodium hydrosulphite* must be packed in glass bottles or in tight metal containers, specification 2B, not exceeding 5 pounds capacity each, in wooden boxes, barrels, or kegs, specification 15A, 15B, 15C, 16A, or 11B; or in metal barrels or drums, specification 6A, 6B, or 6C; or in single-trip metal barrels or drums, specification 5E, 6D, 6E, or 6F.

Or in plywood drums, specification 22B, with inside metal drums.

Amending list, part 176 (c), order May 12, 1930, as follows (*corrosive liquids*):

Article	Max. quantity	Packing, marking (pars.)
(Add) Acid, perchloric.....	2½ quarts 7 pounds.....	14, 180, 194A, 197.

Amending par. 177, order Mar. 12, 1936, as follows (*exemptions from regulations*):

(a2) *Fire extinguisher charges* consisting of sulphuric acid in 10-ounce or smaller bottles, securely closed, packed in a tight fiber carton. The bottle and carton packed in either potassium carbonate or potassium carbonate and alkali packed in a cylindrical tin can, with slip cover, secured by tape.

Superseding and amending 2d subpar., par. 183, order May 12, 1930, to read as follows (*packing bromine*):

(2d subpar.) Bottles as provided herein must be packed in boxes, specification 15B, and securely cushioned on all sides with incombustible packing material, at least 1 inch in thickness, which will not produce heat when mixed with the bromine. Whiting, mineral wool, infusorial earth (kieselguhr), sifted ashes, powdered china clay, or similar material, must be used. The use of hay, sawdust, excelsior, or other organic material, either treated or untreated, as a cushioning or packing material, is prohibited.

Superseding and amending par. 186, order Mar. 12, 1936, to read as follows (*packing electric storage batteries*):

186. *Electric storage batteries* containing electrolyte or corrosive battery fluid when shipped must be completely protected so that short circuits will be prevented; they must not be packed with other articles except portable searchlights properly cushioned.

They must be packed as follows (see paragraph 177 (b) for carload exemptions): In wooden boxes, specification 15D or 16B.

Exception. Not more than 3 batteries of weight not over 20 pounds each with battery case of impregnated rubber, asphaltum composition, wooden-battery-box type, or steel-case type, may be shipped in a carton, provided the gross weight per carton does not exceed 75 pounds;

Or single batteries of weight not over 75 pounds each with battery case of impregnated rubber, asphaltum composition, wooden-battery-box type, or steel-case type, may be shipped without boxing; for two or more batteries exceeding 20 pounds each in the same outside container, wooden boxes, specification 15D or 16B, are required.

Amending order May 12, 1930, as follows (*packing perchloric acid*):

(Add) 194A. (a) *Perchloric acid* of not exceeding 72 percent strength must be placed in glass bottles with glass stoppers ground to fit, and these stoppers must be held in place by plaster of Paris covered by strong cloth securely tied. Each bottle must be well cushioned on all sides with incombustible mineral packing material, such as whiting, mineral wool, infusorial earth (kieselguhr), asbestos, sifted ashes, or powdered china clay, etc., and must be packed in a wooden box, specification 15C, 16A, or 19A.

The use of hay, excelsior, ground cork, or similar material, either treated or untreated, is prohibited. Where the cushioning material is very fine or powdery separate partitions for the individual inside containers should be provided to prevent the bottles from shifting and coming into contact with each other, and the box must be tight to prevent sifting of cushioning material.

(b) Not more than 7 pounds (2½ quarts) perchloric acid may be shipped in one outside package.

(c) Perchloric acid in excess of 72 percent strength must not be shipped.

Superseding and amending item, par. 215, order May 12, 1930, to read as follows (*packing compressed gases*):

Article	Density, etc.	Cylinders, etc.
Nitrous oxide (see note 3)	68% (see note 2).....	ICC-3A1800, ICC-3, ICC-3E.

Amending list par. 237 (c), order May 12, 1930, as follows (*poisons*):

Article	Label	Max. quantity	Packing, marking (pars.)
(Add) Nitrochlorbenzene.....	Poison.....	200 pounds.....	14, 24S, 219.

Shipping Container Specifications for Rail, Water, and Highway

Superseding and amending par. 2 (d), specification 6H, order May 12, 1930, to read as follows:

(d) Side seams and chimes must be of welded type, or of Gordon or other equally efficient lock type.

Superseding and amending specifications 16A and 16B, orders May 12, 1930, April 7, 1931, June 27, 1931, Dec. 15, 1931, and Nov. 1, 1934, to read as follows:

SHIPPING CONTAINER SPECIFICATION 16A

WOODEN BOXES—WIREBOUND

General

1. *Compliance.* Required in all details. Authorized tolerances: Cleats, battens, and handles, minus $\frac{1}{32}$ inch; any other wooden part, minus 12½ per cent on 10 per cent of area of part.

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Materials

2. **Lumber.**—Well seasoned and commercially dry; free from decay, objectionable knots, slanting shakes, sharp cross grain, and other defects that materially lessen the strength. Grain of wood in cleats and battens must not cross piece within its length.

3. **Wires.**—Of annealed steel, Washburn and Moen sizes.

4. **Staples.**—Wire size, Washburn and Moen.

5. **Grouping of principal woods.**—

Group 1

White pine.	Chestnut.	White fir.
Norway pine.	Sugar pine.	Cedar.
Aspen (popple).	Cypress.	Redwood.
Spruce.	Basswood.	Butternut.
Western (yellow) pine.	Noble fir.	Alpine fir.
Cottonwood.	Willow.	Cucumber.
Yellow poplar.	Magnolia.	Lodgepole pine.
Balsam fir.	Buckeye.	Jack pine.

Group 2

Southern yellow pine.	North Carolina pine.	Douglas fir.
Hemlock.		Larch (tamarack).

Group 3

White elm.	Pumpkin ash.	Tupelo.
Red gum.	Black ash.	Maple—soft or silver.
Sycamore.	Black gum.	

Group 4

Hard Maple.	Huckleberry.	White ash.
Beech.	Birch.	Hickory.
Oak.	Rock elm.	

Construction

6. **Closed box.**—Parts and pieces with edges in close contact to give completely closed box.

7. **Top, sides, and bottom.**—Each cleated at both ends; intermediate rows of cleats authorized.

8. **Cleats.**—Ends mitered or with mortise and tenon joints.

9. **Ends.**—Battened when prescribed. Wired ends authorized provided wires run cross grain and terminate in loops with ends of wire driven through end board and clinched. Grain of wood perpendicular to sides except for wired ends.

10. **Wires.**—One wire over each row of cleats; intermediate wires as prescribed.

11. **Stapling.**—Staples for wires over cleats driven through boards into cleats and anchored; others through boards and clinched.

12. **Thickness of boards (sides, tops, bottoms, and ends).**—(a) As follows except that, for thicknesses prescribed as 3/16 inch or less, resawn boards must be 1/64 inch thicker for each resawn surface:

Group of wood	Minimum thickness of boards (inch)						
	1/6 (0.125)	1/4 (0.143)	1/6 (0.167)	3/16 (0.185)	7/32 (0.219)	1/4 (0.250)	5/16 (0.313)
Maximum authorized gross weight, box and contents (pounds)							
1.	25	35	50	75	100	150	200
2.	35	50	75	100	150	200	315
3.	50	75	100	150	200	315	400
4.	75	100	150	200	315	400	

(b) For boxes with 3 or more rows of cleats, boards of the next lower thickness prescribed in the table are acceptable.

13. **Size of cleats.**—At least 1/8 by 1/8 inch when thickness required for boards exceeds 1/4 inch; otherwise at least 1/8 by 1/8 inch.

14. **Binding wires (sides, top, and bottom).**—(a) Spacing not over 8 inches. Exception: When each binding wire is stapled to a row of cleats, 11 inch spacing is authorized.

(b) Number and size of binding wires as follows:

Number of wires	Minimum gauge of wires, Washburn and Moen				
	16	15	14	13	12
Maximum authorized gross weight, box and contents (pounds)					
2.	35	50	75	100	150
3.	50	75	100	150	200
4.	75	100	150	200	315
5.	100	150	200	315	400
6.		200	315	400	
7.			400		

15. **Wires for wired ends.**—(a) At least 2 wires on each end, size not less than as specified for binding wires in paragraph 14, and spaced as follows:

Thickness of end (inch)	Maximum spacing ¹		Thickness of end (inch)	Maximum spacing ¹	
	Between wires (inch)	Wires to cleats (inch)		Between wires (inch)	Wires to cleats (inch)
0.125	5	3	0.219	7	3 1/2
0.143	5	3	0.250	7	3 1/2
0.167	6	3	0.313	7	3 1/2
0.187	6	3			

¹ Tolerance allowed to avoid stapling on mat.

(b) Ends less than 10 inches deep are authorized with 1 wire provided they are reinforced by 2 strips (liners), at least 1 1/4 inches wide and as thick as ends, securely stapled along edges of the end parallel to the wires.

16. **Staple spacing (approx.) and minimum size.**—(a) Staples into cleats 16 gauge, Washburn and Moen, and—

1 1/4 inches long with 1 1/2-inch spacing, or 1 1/2 inches long with 1-inch spacing, when boards are over 1/4 inch thick.

1 1/2 inches long with 1 1/2-inch spacing, for boards 1/4 inch thick or less; except that staples 1/8 inch long with 1 1/2-inch spacing are authorized when boards are 1/4 inch thick or less.

(b) Other staples 18 gauge, Washburn and Moen.

17. **End supporting battens.**—By battens at least 1 1/4 inches wide and same thickness as cleats; fastened securely across end parallel to side cleats; unsupported distance between cleats, battens, and between cleats and battens not greater than as follows:

Thickness of ends (inch)	Maximum spacing (inches)	Thickness of ends (inch)	Maximum spacing (inches)
0.125	10	0.219	14
0.143	11	0.250	15
0.167	12	0.313	16
0.187	13		

18. (a) **Side cleat battens.**—Also, in addition to the foregoing, by battens 1/8 by 1/8 inch fastened securely to ends so as to be adjacent to side cleats when box is set up; required when authorized gross weight exceeds the following:

Group of wood in cleats	Authorized gross weight, box and contents, over (pounds)	Group of wood in cleats	Authorized gross weight, box and contents, over (pounds)
1.	100	3	200
2.	150	4	200

(b) **Wired end supports.**—Wired ends, for boxes for authorized gross weight exceeding the foregoing, must be reinforced by 2 strips (liners), at least 1 1/4 inches wide and as thick as ends, securely stapled along edges of the end parallel to the wires; side cleat battens not required.

Marking of Box

19. (a) With letters and figures at least 1/2 inch high in rectangle as follows:

ICC-* * *

Stars must be replaced by specification number and maximum authorized gross weight (for example, ICC-16A150, ICC-16B315, etc.). This mark shall be understood to certify that box complies with all specification requirements.

(b) Name and address of plant making the containers. Symbol authorized if registered with Bureau of Explosives.

Setting up and Closing

20. (a) Nail or staple ends to side cleats at intervals not over 2 1/2 inches.

(b) Twist ends of wires or bend loops to give tight closure.

(c) Nail at least 2 nails through side cleats into each side-cleat batten at not over 4-inch intervals; nail through top and bottom cleats with one 7-penny nail into each end of end-supporting battens.

¹ Not required for wired ends less than 20 inches long.

SHIPPING CONTAINER SPECIFICATION 16B

WOODEN BOXES—WIREBOUND

1. Containers must comply with specification 16A except as follows (paragraph references are to specification 16A):
 2. Spaces $1\frac{1}{2}$ inches authorized between side boards and between top boards when boards are at least $3\frac{1}{2}$ inches wide.
 3. When width of bottom is less than $\frac{3}{4}$ of the depth of side, a cleat of length at least equal to depth of side must be nailed to end cleats on each end flush with the bottom.
 4. *Ridge-top containers*, authorized as follows:
 - (a) Ends must be at least 2 times as thick as prescribed in paragraph 12.
 - (b) Unsupported distance as prescribed in paragraph 17 must not exceed 10 inches in any case.
 - (c) Ridge over 30 inches long must be reinforced on the outside, from end to end, by 2 battens with abutting edges and of cross section as prescribed for handles.
 - (d) Vertical grain unwired ends authorized provided they are to be fastened in place by nailing through sides, top, and bottom.
 5. *Handles*.—Required when authorized gross weight exceeds 100 pounds; securely fastened along top of sides under wires and projecting 3 inches, or mounted on end cleats; extensions of side boards acceptable; dimensions as follows:

Authorized gross weight, not over (pounds)	Handles, minimum cross section (inches) ¹	Authorized gross weight, not over (pounds)	Handles, minimum cross section (inches) ¹
150.....	$\frac{1}{4}$ by $2\frac{1}{2}$. $\frac{3}{8}$ by $2\frac{1}{2}$.	315.....	$\frac{5}{16}$ by $3\frac{1}{2}$.
200.....	315.....	400.....	$\frac{1}{2}$ by $3\frac{1}{2}$.

¹ Also ridge reinforcing battens when prescribed.

6. *Setting up and closing*.—As required in paragraph 20, except that unwired ends with vertical grain must be nailed with cement coated nails through sides, top, and bottom into ends at 3-inch intervals.

Amending specification 22A, order May 12, 1930, as follows:

"(Add) 13. *Special closure*.—Closure by tapered bung and bung hole, not over 3 inches diameter, located in the head is authorized provided the head lining paper is glued to the head around the hole and the bung is held in place by a batten $\frac{1}{4}$ inch by 3 inches secured by nails driven through hoops, body, and into each end of the batten; the top head may be fastened by the same method as specified for the bottom head."

Superseding and amending par. 19, specification 24A, order May 12, 1930, to read as follows:

"19. Faces with 4-flap closures must be closed by coating entire contact surface of flaps and fill-in pieces with efficient adhesive, except that stitching outer and inner flaps together with wire along all edges of each outer flap at not over $2\frac{1}{2}$ -inch intervals is permitted; wire must be at least $\frac{1}{8}$ by 0.019 inch or equal cross section, formed into staples about $\frac{1}{8}$ inch wide."

Amending table, par. 4, specification 24B, order May 12, 1930, as follows:

Style of box	Max. wt. of box	Body piece	Flanged liner	Pads	Partitions and interior cartons
1 piece, double-faced.....	90 (see note 1) ¹	275	275	275

¹ Authorized only when boxes are to be metal strapped before shipment.

NOTE 1.—For pyroxylin sheets only.

Amending specification 24B, order April 7, 1931, as follows:

"(Add) 11. Additional type containers are authorized for not over 1,000 feet of motion-picture film in securely closed inside metal cans, as follows: Boxes to be made of 200-pound test fiberboard and marked for authorized gross weight of 10 pounds; any suitable type is authorized; closure by taping with strong paper tape, single ply or better, is acceptable."

Water Regulations

Amending list, order Aug. 24, 1934, as follows (stowage):

Article	Properties	Label	Outside containers, etc.	Stowage, etc.
(Add) Acid, perchloric. (Add) Nitrochlorobenzene.	Corrosive liquid. Poisonous solid.	White Poison.	Wooden boxes, carboys. Metal barrels or drums, wooden barrels, drums, kegs, boxes, or kits, fiber boxes or drums.	Freight vessels A. Separate from food-stuffs.
(Add) Perchloric acid. (See Acid, perchloric.)				

Highway Regulations

Amending order Nov. 6, 1934, as follows (compressed gases):

"(Add) T-135. Tanks complying with specification 106A500 containing sulphur dioxide or dichlorodifluoromethane may be transported on trucks when securely chocked or clamped thereon to prevent shifting, and provided adequate facilities are present for handling tanks where transfer in transit is necessary."

It is further ordered, That the aforesaid regulations as further amended herein shall be and remain in force on and after March 30, 1937, and shall be observed until further order of the Commission;

It is further ordered, That compliance with the aforesaid amendments made effective by this order is hereby authorized on and after the date of approval and publication thereof;

And it is further ordered, That copies of this order be served upon all the respondents herein, and that notice to the public be given by posting in the office of the Secretary of the Commission at Washington, D. C.

Dated at Washington, D. C., this 14th day of December, 1936.

By the Commission, Commissioner McManamy.

[SEAL]

GEORGE B. McGINTY, Secretary.

[F. R. Doc. 37-53; Filed, January 6, 1937; 12:50 p. m.]

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 31st day of December, A. D. 1936.

[Ex Parte No. MC 5]

IN THE MATTER OF SECURITY FOR THE PROTECTION OF THE PUBLIC AS PROVIDED IN THE MOTOR CARRIER ACT, 1935, AND OF RULES AND REGULATIONS GOVERNING THE FILING AND APPROVAL OF SURETY BONDS, POLICIES OF INSURANCE, QUALIFICATIONS AS A SELF-INSURER OR OTHER SECURITIES AND AGREEMENTS BY MOTOR CARRIERS AND BROKERS SUBJECT TO THE MOTOR CARRIER ACT, 1935

The matter of renewals of policies of insurance (or certificates of insurance in lieu thereof) under the above title being under consideration:

It is ordered, That said Order of October 3, 1936, be and it is hereby modified so as to provide that renewals issued in connection with motor carrier policies of insurance (or certificates of insurance in lieu thereof) for limits of liability not less than the amounts prescribed in the rules and regulations of the Commission governing the filing and approval of surety bonds, policies of insurance, qualifications as a self-insurer, or other securities and agreements by motor carriers and brokers subject to the Motor Carrier Act, 1935, covering automobile bodily injury liability, property damage liability or cargo liability and written by insurance companies not legally authorized to transact business in all states in which such policies cover the operations of the insured motor carriers, but legally authorized to transact business in at least one State of the United States, on which the effective date of such policies is on or before the first day of October, 1936, and expiring not later than the fifteenth day of February, 1937, shall be accepted for filing and approval under Section 215 of the Motor Carrier Act, 1935, upon the attachment of the endorsement form, prescribed and approved by the Commission on the third day of August, 1936, to such renewal policies where the term of said renewal policies is for a period of not more than one year and the expiration date of any such renewal policy does not extend beyond February 15, 1938, provided that attorneys-in-fact for accepting service of process for and on behalf of such insurance companies have been duly appointed and have accepted such appointments for each State in or through which the motor carrier will be authorized to operate under certificates or permits issued by the Commission and a duplicate original of the power-of-attorney appointing each

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attorney-in-fact has been filed with this Commission at its office in Washington, D. C.

By the Commission, division 5.

[SEAL]

GEORGE B. McGINTY, Secretary.

[F. R. Doc. 37-54; Filed, January 6, 1937; 12:50 p. m.]

RESETTLEMENT ADMINISTRATION.

[Administration Order 217]

RULES AND REGULATIONS RELATING TO CONDITIONS OF EMPLOYMENT FOR NONAPPOINTIVE WORKERS

DECEMBER 31, 1936.

1. Purpose.—(a) This Order constitutes a guide to the labor policies of the RA. The rules governing conditions of employment which are incorporated in this Order are adopted for the purpose of establishing and maintaining satisfactory labor relations on projects.

2. Material Superseded.—(a) This Order supersedes the following previous releases of Procedure material:

AI 41, 10/8/36, paragraphs 7a and 8.

AI 93, 4/23/36.

FI-LR 1, 8/16/35, paragraphs 5f and 5g I, II, III and IV.

3. Right to Organize.—(a) Workers have the right to organize and select representatives of their own choice for the purpose of adjusting grievances with the RA, and shall not be required to limit their choice of representatives to persons employed on the project.

(b) Project managers, community managers, resident engineers, or other RA officials shall not interfere with, restrain or coerce RA employees in the exercising of their right to organize or act collectively through representatives of their own choosing.

4. Discrimination.—(a) Workers who are qualified by training and experience for assignment to RA projects shall not be discriminated against for organizational activity, political belief, race, sex, or for any other reason.

(I) The use of espionage, "blacklists", or any other list which may serve to discriminate against individual workers, or against groups of workers, is expressly prohibited.

(II) Workers shall not be discriminated against or discharged because of any petition filed or complaints made to any person in the RA, Works Progress Administration (WPA) or in any other agency of the Federal Government.

(III) Project managers, community managers, or resident engineers will be expected to observe literally the regulations against discrimination outlined above. They may, however, average employment for all the projects in a given administrative area in such manner as will proportion employment on RA projects in the area, by race, sex, or other criteria upon which discrimination might arise, and within the several classes of work, to the numbers on relief rolls. The regional LR adviser or the LR representative will approve the manner of averaging in each specific instance.

(b) Regional LR advisers or LR representatives will make periodic comparisons of the employment rolls for projects, and the relief rolls from which the workers employed on projects were drawn, to determine whether or not any discrimination, within the several levels of skill, has occurred. They will report any conspicuous evidence of discrimination to the project manager, community manager, or resident engineer with a request for explanation or correction of the situation. They will also send copies of these reports to the Director of the LR Division and to the regional director or the director of the Washington division to which the project is assigned.

5. Private Employment.—(a) When demands for labor in private employment are such as to make desirable the release of workers assigned to RA projects, regional LR advisers and LR representatives in the course of their regular field trips will confer with local United States Employment Service (USES) officials with reference to individual projects, and will endeavor to estimate the probable demand

for workers in private industry and the number of workers, if any, who will be required from each RA project to supplement the workers who are subject to prior call.

(b) Regional LR advisers and LR representatives will then consult the project managers, community managers and resident engineers on the projects to which they are assigned with regard to the practicable possibilities and the effect of releasing the required number of employees.

(c) In the event that considerable difficulty may be caused on any project by such a release of labor, the regional LR adviser or the LR representative will immediately bring the matter to the attention of either the regional director or the Director of the CN Division and to the attention of the Director of the LR Division.

(d) If a call for additional workers for private employment should be made without prior provision therefor, the regional LR adviser or the LR representative will investigate the situation without delay. If he determines that the release of project employees is necessary, he will notify the project manager, community manager, or resident engineer to that effect, and the release will be made at once.

(e) In releasing workers for employment in private industry, the project manager, community manager, or resident engineer will endeavor to determine, first, those who are willing to accept such employment. If it is necessary to release additional workers, he will exercise his discretion to release persons whose services are least needed on the project. Only persons competent to perform the work offered will be released. To that end, the project manager, community manager, or resident engineer may request the USES officer to designate the project workers who are qualified for the private employment offered.

(f) When the project manager, community manager or resident engineer has determined the workers to be released for private employment, he will record such release on WPA Form 403, "Notice of Change in Work Status", and will notify the workers involved to report to the USES or public employment office for referral to the applying employers. At the request of the USES or other employment office, the project manager, community manager or resident engineer will give to the released worker a copy of the said Notice and the "Referral Card" made out by the employment office, and direct him to the prospective employer.

(g) The demand for the release of project workers for employment in private industry must be made by the USES or other duly authorized public employment agency. Notification of demand for project workers in private industry will not be considered unless it is presented by such an agency.

(h) Persons who have been assigned to a project are expected to accept available private employment provided:

(I) That the private work offered, whether temporary or permanent, will consist of full-time jobs.

(II) That the work is within reasonable distance of the Workers' homes, or that reasonable provision is made for transportation or subsistence.

(III) That such work will be at a standard or going rate of wages which will provide, when computed on a monthly basis, approximately the net equivalent of the monthly security wage.

(IV) That such work will not have to be performed under unusual or severe working conditions.

(V) That such work will not be in conflict with established union relationships or performed during the existence of a labor dispute.

(VI) That workers will be assured of an opportunity to return to available jobs on RA projects upon the completion of the private employment.

6. Cause for Discharge.—(a) It is expected that workers on RA projects will discharge their duties with their available skill and diligence. When workers fail to apply themselves to their jobs in a reasonable manner, the project manager, community manager or resident engineer may discharge them after giving every worker adequate advice and warning and after allowing time to secure evidence that the workers

involved are not discharging their duties to the best of their ability.

(b) In each case of discharge, a full statement of the reason for termination must be made on WPA Form 403, "Notice of Change in Work Status". No entry such as "agitator", or any other expression which may be construed to refer to organizational activity may be made on WPA Form 403. In every case of discharge, the worker is entitled to, and must be given, an explanation of why he is discharged. The worker must further be given opportunity to present to the project manager, community manager, resident engineer, regional LR adviser or LR representative, reasons, if any, why he should not be discharged.

7. *Adjusting Complaints and Grievances.*—(a) Workers may present complaints either individually or through their designated representatives. If satisfactory adjustment of a complaint cannot be secured through the foreman, or the project manager, community manager or resident engineer, the matter should be taken up with the regional LR adviser or the LR representative.

(b) In the event that the regional LR adviser or the LR representative cannot secure a satisfactory adjustment of the complaint or grievance, either the workers or their designated representative, the project manager, community manager or resident engineer, or the regional LR adviser or LR representative may appeal to the Director of the LR Division.

8. *Strikes.*—(a) If all or any portion of the workers on an RA project go on strike because of a labor dispute, the project manager, community manager or resident engineer will stop the work involved in the strike until the dispute is adjusted. New workers shall not be requisitioned to fill the jobs left vacant by the striking workers. If the entire project is affected by the strike or stoppage of work, the project shall be closed down until the dispute is adjusted. Work will not be continued on any RA project if it is necessary to use police or any other protection involving force.

(b) In case of a strike or stoppage of work on a project, the project manager, community manager or resident engineer shall notify immediately the regional LR adviser or the LR representative, assigned to the project, who is responsible for conducting negotiations to settle the dispute.

9. *Posting Notices on Projects.*—(a) Notices giving the wages, hours of work, and working conditions must be posted on every project in places easily accessible to all workers. Notices will be posted on Form RA-LR 21, Rev. 7-21-36, "Working Conditions", and Form RA-LR 21a, "Schedule of Wage Rates, Maximum Monthly Hours and Maximum Monthly Earnings", or on Form RA-LR 18, "Labor Conditions." The name and address of the regional LR adviser or the LR representative to whom workers may appeal complaints and grievances must be given on every notice posted.

(b) On projects financed from funds under the Emergency Relief Act of 1936, WPA Form 405, Rev., "Occupational Schedule of Hourly Wage Rates, Assigned Hours of Work per Month, and Monthly Earnings", may be substituted for Form RA-LR 21a. Copies of WPA Form 405, Rev., are to be prepared and signed by the district director of the WPA district Division of Employment and distributed by him for display at the site of the project. When it seems desirable to the project manager, community manager, or resident engineer, and to the regional LR adviser or the LR representative assigned to the project, copies of both WPA Form 405, Rev., and Form RA-LR 21a may be posted on the project.

R. G. TUGWELL, *Administrator.*

[F. R. Doc. 37-50; Filed, January 6, 1937; 10:10 a. m.]

RURAL ELECTRIFICATION ADMINISTRATION.

[Administrative Order No. 44]

ALLOCATION OF FUNDS FOR LOANS

DECEMBER 29, 1936.

By virtue of the authority vested in me by the provisions of Section 4 of the Rural Electrification Act of 1936, I hereby allocate, from the sums authorized by said Act, funds for

Loans for the projects and in the amounts as set forth in the following schedule:

Project Designation:	Amount
Iowa 47 G Franklin	\$225,000
Iowa 48 G Pocahontas	185,000

MORRIS L. COOKE, *Administrator.*

[F. R. Doc. 37-51; Filed, January 6, 1937; 9:42 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

SECURITIES ACT OF 1933

SECURITIES EXCHANGE ACT OF 1934

ADOPTION OF RULES MD1 AND MD2

The Securities and Exchange Commission, deeming it necessary for the execution of the functions vested in it and necessary and appropriate in the public interest and for the protection of investors so to do, acting pursuant to authority conferred upon it by the Securities Exchange Act of 1934, as amended, particularly Sections 15 (d) and 23 (a) thereof, hereby adopts the following rules:

RULE MD1. Annual Reports of Registrants under Securities Act of 1933.—Each issuer having securities registered under the Securities Act of 1933 and having a duty to file supplementary and periodic information, documents, and reports pursuant to Section 15 (d) of the Securities Exchange Act of 1934 shall file an annual report, on the appropriate form prescribed therefor, not more than 120 days after the close of each fiscal year ending after the close of the last full fiscal year for which financial statements of such issuer were filed in the registration statement, or at such other time as shall be prescribed in the instruction book applicable to the particular form; provided, however, that the annual report covering any period ending prior to December 31, 1936, need not be filed prior to April 30, 1937. In case the registrant finds it impracticable to file the report at such prescribed time, it may file with the Commission an application for an extension of time to a specified date within 60 days after the prescribed time. Such application shall state the grounds of impracticability and shall contain an agreement to file the report on or before such specified date. The application shall be deemed granted unless the Commission within ten days after receipt thereof shall enter an order denying the application as being unreasonable and unnecessary under the circumstances.

RULE MD2. Forms for Annual Reports of Registrants under Securities Act of 1933.—The annual reports required by Rule MD1 shall be filed on the appropriate form prescribed below:

Form 1-MD, General Form.—This form is to be used for the annual reports, pursuant to Section 15 (d) of the Securities Exchange Act of 1934, of all issuers except those for which another form is specifically prescribed.

Form 2-MD for Securities of Fixed Investment Trusts.—This form is to be used for annual reports, pursuant to Section 15 (d) of the Securities Exchange Act of 1934, relating to securities of unincorporated investment trusts of the fixed or restricted management type, having a depositor or sponsor but not having a board of directors or persons performing similar functions.

Form 3-MD for Voting Trust Certificates.—This form is to be used for annual reports, pursuant to Section 15 (d) of the Securities Exchange Act of 1934, relating to voting trust certificates.

Form 4-MD for Certificates of Deposit.—This form is to be used for annual reports, pursuant to Section 15 (d) of the Securities Exchange Act of 1934, relating to certificates of deposit issued by a Committee.

The foregoing action of the Commission shall be effective immediately upon publication.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 37-43; Filed, January 5, 1937; 1:04 p. m.]

FEDERAL REGISTER, January 7, 1937

SECURITIES ACT OF 1933

SECURITIES EXCHANGE ACT OF 1934

RULE ADOPTING FORM 1-MD

The Securities and Exchange Commission, finding—

(1) That the requirements of Form 1-MD, general form for annual reports pursuant to Section 15 (d) of the Securities Exchange Act of 1934, as more specifically defined in the Instruction Book for Form 1-MD, are necessary and appropriate for the proper protection of investors and to insure fair dealing in such securities as are registered under the Securities Act of 1933 and as to which Form 1-MD is to be used; and,

(2) That the information called for by such Form and the exhibits specified in such Instruction Book are required to keep reasonably current the information and documents filed pursuant to Section 7 of the Securities Act of 1933, and are such as may be required pursuant to Section 13 of the Securities Exchange Act of 1934 in respect of similar securities listed and registered on national securities exchanges,

pursuant to authority conferred upon it by the Securities Exchange Act of 1934, particularly Sections 15 (d) and 23 (a) thereof, hereby adopts Form 1-MD, general form for annual reports, and the Instruction Book for Form 1-MD.¹

The foregoing action of the Commission shall be effective immediately upon publication.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 37-44—Filed, January 5, 1937; 1:04 p. m.]

SECURITIES EXCHANGE ACT OF 1934

AMENDMENT NO. 2 TO FORM 12A-K

The Securities and Exchange Commission, finding—

(1) That the requirements of Form 12A-K, as more specifically defined in the Instruction Book for Form 12A-K as hereby amended, are necessary and appropriate for the proper protection of investors and to insure fair dealing in such securities as are registered on national securities exchanges and as to which Form 12A-K is to be used; and,

(2) That the information called for by such Form and the exhibits specified in such Instruction Book, as hereby amended, are required to keep reasonably current the information and documents filed pursuant to Section 12 of the Securities Exchange Act of 1934,

pursuant to authority conferred upon it by the Securities Exchange Act of 1934, particularly Sections 13 and 23 (a) thereof, hereby amends the Instruction Book for Form 12A-K as follows:

1. The instruction as to Exhibit A in paragraph 1 of the *Instructions as to Exhibits* is amended by deleting the words:

provided that the registrant may file, in lieu of a copy of its complete Annual Report, a copy containing those pages, schedules, or items which are listed in instruction 3 below, and omitting any or all other pages, schedules, or items.

and inserting in lieu thereof the words:

provided that if such Annual Report was filed on Form A of the Interstate Commerce Commission, the registrant may file a copy containing those schedules and items which are listed in instruction 3 below, and omitting any or all other pages, schedules, or items.

2. Subparagraph (1) of the instructions as to Exhibit B in paragraph 1 of the *Instructions as to Exhibits* is amended by deleting the last sentence thereof and inserting in lieu thereof the following sentence:

In lieu of a copy of any such complete Annual Report on Form A of the Interstate Commerce Commission, however, the registrant

may file a copy containing those schedules and items which are listed in instruction 3 below, and omitting any or all other pages, schedules, or items.

3. Subparagraph (2) (iii) of the instructions as to Exhibit B in paragraph 1 of the *Instructions as to Exhibits* is amended by deleting the words "for any fiscal year ending prior to December 31, 1936", so that subparagraph (2) (iii), as amended, shall read as follows:

(iii) The financial statements furnished pursuant to this paragraph (2) need not be certified by independent public or independent certified public accountants, but otherwise shall conform to the requirements as to financial statements (including supporting schedules) prescribed under Form 10-K for Corporations or under such other form as would be appropriate for an Annual Report if the affiliated company were itself a registrant.

4. Paragraph 3 of the *Instructions as to Exhibits* is amended to read as follows:

3. In lieu of a copy of any Annual Report to the Interstate Commerce Commission on Form A required to be filed as an exhibit under paragraph 1 above, the registrant may file a copy omitting or leaving blank any or all pages, schedules, or items other than the following:

Schedules 102; 103; 104A; 104B; 108; 109; 110; 200A; 200L; 200A (System); 200L (System); lines 41, 49, 57, 58, and 99-101, inc., of 211; 212; 217; 218; 221; 251; 251A; 252; 261E; 261S; 262; 261P; 263; 275; 282; 283; 284; 285; 286; 286A; 295; 300I; 300P; 300D; 300I (System); 300P (System); 310; lines 112, 113, 114, 140, 151, 206, 211, 219, 234, 235, 236, and 237 of 320; 330; 321; 350; 371A; 383A; 396; classes 800, 810, 820, 830, 840, 850, 710, and 860 of 541; 562; 563; 581; paragraphs 3, 4, and 5 of 591; and verification.

The above schedules are to be reprinted in "Securities and Exchange Commission, Extract from Annual Report Form A", copies of which may be obtained from the Securities and Exchange Commission after February 1.

Registrants are urged to take advantage of this privilege. By doing so, they may omit a large number of the schedules contained in Annual Report Form A of the Interstate Commerce Commission. If this privilege is exercised, all applicable instructions of the Interstate Commerce Commission should be followed in filling out the various schedules, subject to the provisions of paragraph 4 below.

The foregoing action of the Commission shall be effective immediately upon publication.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 37-36; Filed, January 5, 1937; 1:02 p. m.]

SECURITIES EXCHANGE ACT OF 1934

AMENDMENT NO. 2 TO FORM 12-K

The Securities and Exchange Commission, finding—

(1) That the requirements of Form 12-K, as more specifically defined in the Instruction Book for Form 12-K as hereby amended, are necessary and appropriate for the proper protection of investors and to insure fair dealing in such securities as are registered on national securities exchanges and as to which Form 12-K is to be used; and,

(2) That the information called for by such Form and the exhibits specified in such Instruction Book, as hereby amended, are required to keep reasonably current the information and documents filed pursuant to Section 12 of the Securities Exchange Act of 1934,

pursuant to authority conferred upon it by the Securities Exchange Act of 1934, particularly Sections 13 and 23 (a) thereof, hereby amends the Instruction Book for Form 12-K as follows:

1. The instruction as to Exhibit A in paragraph 1 of the *Instructions as to Exhibits* is amended by deleting the words:

provided that the registrant may file, in lieu of a copy of its complete Annual Report, a copy containing those pages, schedules, or items which are listed in instruction 3 below, and omitting any or all other pages, schedules, or items.

and inserting in lieu thereof the words:

provided that if such Annual Report was filed on Form A of the Interstate Commerce Commission, the registrant may file a copy

¹ Filed with the Division of the Federal Register; copies available upon application to Securities and Exchange Commission.

containing those schedules and items which are listed in instruction 3 below, and omitting any or all other pages, schedules, or items.

2. Subparagraph (1) of the instructions as to Exhibit B in paragraph 1 of the *Instructions as to Exhibits* is amended by deleting the last sentence thereof and inserting in lieu thereof the following sentence:

In lieu of a copy of any such complete Annual Report on Form A of the Interstate Commerce Commission, however, the registrant may file a copy containing those schedules and items which are listed in instruction 3 below, and omitting any or all other pages, schedules, or items.

3. Subparagraph (2) (iii) of the instructions as to Exhibit B in paragraph 1 of the *Instructions as to Exhibits* is amended by deleting the words "for any fiscal year ending prior to December 31, 1936", so that subparagraph (2) (iii), as amended, shall read as follows:

(iii) The financial statements furnished pursuant to this paragraph (2) need not be certified by independent public or independent certified public accountants, but otherwise shall conform to the requirements as to financial statements (including supporting schedules) prescribed under Form 10-K for Corporations or under such other form as would be appropriate for an Annual Report if the affiliated company were itself a registrant.

4. Paragraph 3 of the *Instructions as to Exhibits* is amended to read as follows:

3. In lieu of a copy of any Annual Report to the Interstate Commerce Commission on Form A required to be filed as an exhibit under paragraph 1 above, the registrant may file a copy omitting or leaving blank any or all pages, schedules, or items other than the following:

Schedules 102; 103; 104A; 104B; 108; 109; 110; 200A; 200L; 200A (System); 200L (System); lines 41, 49, 57, 58, and 99-101, inc., of 211; 212; 217; 218; 221; 251; 252; 261M; 261E; 261S; 262; 261P; 263; 275; 282; 283; 284; 285; 286; 286A; 295; 300I; 300P; 300D; 300I (System); 300P (System); 310; lines 112, 113, 114, 140, 151, 206, 211, 219, 234, 235, 236, and 237 of 320; 330; 321; 350; 371A; 383A; 396; classes 800, 810, 820, 830, 840, 850, 710, and 860 of 541; 562; 563; 581; paragraphs 3, 4, and 5 of 591; and verification.

The above schedules are to be reprinted in "Securities and Exchange Commission, Extract from Annual Report Form A", copies of which may be obtained from the Securities and Exchange Commission after February 1.

Registrants are urged to take advantage of this privilege. By doing so, they may omit a large number of the schedules contained in Annual Report Form A of the Interstate Commerce Commission. If this privilege is exercised, all applicable instructions of the Interstate Commerce Commission should be followed in filling out the various schedules, subject to the provisions of paragraph 4 below.

The foregoing action of the Commission shall be effective immediately upon publication.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 37-40; Filed, January 5, 1937; 1:03 p. m.]

SECURITIES EXCHANGE ACT OF 1934

AMENDMENT OF RULE AN11

The Securities and Exchange Commission, deeming it necessary and appropriate in the public interest and for the protection of investors so to do, pursuant to authority conferred upon it by the Securities Exchange Act of 1934, as amended, particularly Sections 3 (a) (12) and 23 (a) thereof, hereby amends the amendment to Rule AN11

heretofore adopted to become effective at the close of business on December 31, 1936, by inserting immediately after the words "securities of issuers", in paragraph (a) of said Rule as set forth in said amendment, the words "which are, or at any time since June 30, 1935 were".

Paragraph (a) of Rule AN11, as so amended, (the amendments to become effective at the close of business on December 31, 1936) reads as follows:

(a) The following securities shall be exempt from the operation of Section 12 (a) for the period specified in paragraph (b) of this Rule: securities as to which temporary registration expired on June 30, 1935, and which are securities of issuers which are, or at any time since June 30, 1935 were, in bankruptcy or receivership or in the process of reorganization pursuant to Section 77 or 77B of the Bankruptcy Act (other than securities for which the filing of applications on Form 12-A is authorized).

The foregoing amendment shall be effective at the close of business on December 31, 1936.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 37-42; Filed, January 5, 1937; 1:03 p. m.]

SECURITIES EXCHANGE ACT OF 1934

AMENDMENT OF RULES AN12 AND AN13

The Securities and Exchange Commission, deeming it necessary and appropriate in the public interest and for the protection of investors so to do, pursuant to authority conferred upon it by the Securities Exchange Act of 1934, as amended, particularly Sections 3 (a) (12) and 23 (a) thereof, hereby takes the following action:

I. The last sentence of paragraph (a) of Rule AN12 is amended by striking out the words "December 26" and "January 26" and inserting instead the words "December 31" and "January 31."

The last sentence of paragraph (a) of Rule AN12, as amended, reads as follows:

Such exemption shall continue to and including December 31, 1936, unless an application for the registration of securities of such class shall have been filed on or before December 31, 1936, in which event such exemption shall continue to and including January 31, 1937.

II. The last sentence of paragraph (a) of Rule AN13 is amended by striking out the words "December 26" and "January 26" and inserting instead the words "December 31" and "January 31."

The last sentence of paragraph (a) of Rule AN13, as amended, reads as follows:

Such exemption shall continue to and including the one hundred and twentieth day after the filing of applications on a form appropriate for such securities shall have been authorized, or the one hundred and twentieth day after the date of such acquisition, whichever shall be the later; provided, however, that, in the case of any such class of securities for which the filing of an application on Form 22 is or shall hereafter become authorized, (1) such exemption shall not continue after December 31, 1936, unless an application for the registration of securities of such class shall have been filed on or before December 31, 1936, and (2) in no event shall such exemption continue after January 31, 1937.

The foregoing action shall be effective immediately upon publication.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 37-41; Filed, January 5, 1937; 1:03 p. m.]

